IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Mr. JUSTICE N.V. RAMANA

WRIT PETITION No. 24756 of 2004

Between:

1 Cheboina Nagamuneendrarao S/o Veeraiah
Siddapuram, Akiveedu Mandal, West Godavari District AP.
2 Cheboina Madhanavathi W/o Nagamuneendrarao
Siddapuram, Akiveedu Mandal, West Godavari District AP.

..... PETITIONERS

AND

1 The Dist Collector, Eluru West Godavari District.
2 The Sub-Collector , Narasapuram, West Godavari District.
3 Mandal Revenue Officer, Akividu Mandal, West Godavari Dist.
4 The Panchayat Secretary, Akividu Gramapanchyat, Akividu,
Akividu Mandal, West Godavari District.
5 The Sri Rama Associates Firm, rep.by its Managing Partner
Jampana subramanyam Raju S/o Venkata Narasimha Raju.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to Issue an appropriate writ, order or direction , more particularly one in the nature of Writ of Mandamus declaring the in action of the respondent 1 to 4 considering the respondents dt. 25/08/2003, 01/11/2004, 09/06/2003, 28/04/2003, 29/04/2003, 16/06/2003, 21/08/2003,and 22/12/2004 as per law as, illegal, arbitrary and violation of provisions of constitution of India and further direct the Respondents 1 to 4 consider the petitioner above Representations within 10 days as per law.

Counsel for the Petitioner : Mr.T.V.V.KOTESWARA RAO

Counsel for Respondents 1 to 4 : G.P. FOR REVENUE

The Court made the following :

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ORDER:

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Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents, and with their consent, the writ petition is being disposed of finally at the admission stage.

The case of the petitioners is that they are living in Siddapuram village by cultivating the land to an extent of Ac.1.50 in Survey No.105/1B of Dharmapuram village, and that the fifth respondent had earlier constructed two Ice factories adjacent to the petitioners land without any permission and sanction of respondents 1 to 4 and due to the waste and salt water of the said Ice factories, the neighbouring lands including the land of the petitioners were effected badly. It is stated that the fifth respondent is also proposing to construct two more Ice factories in Survey No.105/2, 105/3, 105/2B, 105/4, 105/11 without the permission and sanction of the statutory authorities. Therefore, petitioners along with neighbours, have made representations dated 28.4.2003, 29.4.2003, 9.6.2003, 16.6.2003, 25.8.2003, 21.8.2004, 1.11.2004, and 22.12.2004 to the respondents 1 to 4 requesting to take action against fifth respondent. Since, no action was taken pursuant to the representations made by the petitioners, the present writ petition is filed.

Since, the representations of the petitioners stated to have made on 28.4.2003, 29.4.2003, 9.6.2003, 16.6.2003, 25.8.2003, 21.8.2004, 1.11.2004, and 22.12.2004 are pending consideration, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition directing the respondents 1 to 4 to consider the above representations and after affording reasonable opportunity to all the concerned, pass appropriate orders in accordance with law, as expeditiously as possible.

The writ petition is accordingly disposed of. No costs.

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N.V.RAMANA, J

Date: 30.12.2004

TVK/DA

To

1 The Dist Collector, Eluru West Godavari District.
2 The Sub-Collector, Narasapuram, West Godavari District.
3 The Mandal Revenue Officer, Akividu Mandal, West Godavari Dist.
4 The Panchayat Secretary, Akividu Gramapanchyat, Akividu, Akividu Mandal, West Godavari District.
5 Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

6 Two CD copies.